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Pinkette Clothing, Inc.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

PINKETTE CLOTHING, INC.,

Plaintiff,

v.

COSMETIC WARRIORS LIMITED,
et. al.,

Defendants.

CASE NO. 15-CV-4950 SJO (AJWx)

**DECLARATION OF DAVID A.
CRANE IN SUPPORT OF
PLAINTIFF'S APPLICATION TO
FILE DOCUMENTS UNDER SEAL**

Hearing Date: None

AND RELATED COUNTERCLAIMS

DECLARATION OF DAVID A. CRANE

I, David A. Crane, hereby declare as follows:

1. I am an attorney duly admitted to practice before this Court and an attorney in the law firm LTL Attorneys LLP, co-counsel for Plaintiff and Counter-Defendant Pinkette Clothing, Inc. (“Pinkette”). I have personal knowledge of the matters stated in this declaration and, if called as a witness, I could and would testify competently thereto.

BACKGROUND

2. The following material has been previously designated as either “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” pursuant to the Protective Order stipulated to by the parties and entered by the Court on May 3, 2016 (Dkt. 34):

) The entirety of Exhibits A, B, C, D, E, and F to the Consolidated Declaration of Kevin Bringuel in Support of Pinkette Clothing, Inc.’s Motions to Exclude Expert Testimony.

Pinkette seeks to file under seal unredacted versions of these documents, with no portion of them being publicly available. Additionally, Plaintiff’s Motion to Exclude Expert Testimony, Report, and Opinions of Expert Witness Erich Joachimsthaler and Plaintiff’s Motion to Exclude Expert Testimony, Report, and Opinions of Expert Witness Leon B. Kaplan contain references to or descriptions of some of this material. Pinkette seeks to file under seal unredacted versions of those Motions with redacted versions being filed publicly.

LEGAL STANDARD FOR SEALING RECORDS

3. I am aware of the presumption that judicial records are available to and accessible by the public (*Kamakana v. City of Honolulu*, 447 F. 3d 1172, 1178 (9th Cir. 2006)), and that the presumption may be overcome regarding non-dispositive motions by a showing of “good cause.” (*Id.*; Fed. R. Civ. P. 26(c)).

4. Based on the designation of the documents in question and the

1 information contained in them as “CONFIDENTIAL” or “HIGHLY
2 CONFIDENTIAL - ATTORNEYS’ EYES ONLY” under the Protective Order, I
3 believe there is good cause to grant the application to seal the documents.

4 I declare under penalty of perjury of the laws of the United States that the
5 foregoing is true and correct. Executed in Los Angeles, California.

6
7 Dated: December 16, 2016

LTL ATTORNEYS LLP

8 By: /s/ David A. Crane

9 David A. Crane

10 Attorney for Plaintiff

11 Pinkette Clothing, Inc.